



# Renting Homes (Wales) Act 2016

2016 anaw 1

## PART 9 **E+W**

### TERMINATION ETC. OF OCCUPATION CONTRACTS

#### CHAPTER 1 **E+W**

##### OVERVIEW AND INTRODUCTORY PROVISIONS

*Permissible termination, possession claims and notices requiring possession*

#### 148 Permissible termination etc. **E+W**

- (1) An occupation contract may be ended only in accordance with—
  - (a) the fundamental terms of the contract which incorporate fundamental provisions set out in this Part or other terms included in the contract in accordance with this Part, or
  - (b) an enactment.
- (2) Nothing in this section affects—
  - (a) any right of the landlord or contract-holder to rescind the contract, or
  - (b) the operation of the law of frustration.
- (3) This section is a fundamental provision which is incorporated as a term of all occupation contracts; section 20 provides that this section—
  - (a) must be incorporated, and
  - (b) must not be incorporated with modifications.

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#### **Modifications etc. (not altering text)**

- C1** Pt. 9 excluded (1.12.2022) by 2004 c. 34, s. 33(c) (as inserted by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022 \(S.I. 2022/1166\)](#), regs. 1(1), **28(2)(c)**)

*Changes to legislation: Renting Homes (Wales) Act 2016, Cross Heading: Permissible termination, possession claims and notices requiring possession is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

#### Commencement Information

**I1** S. 148 in force at 1.12.2022 by S.I. 2022/906, art. 2

### 149 Possession claims **E+W**

- (1) The landlord under an occupation contract may make a claim to the court for recovery of possession of the dwelling from the contract-holder (“a possession claim”) only in the circumstances set out in Chapters 3 to 5 and 7.
- (2) This section is a fundamental provision which is incorporated as a term of all occupation contracts; section 20 provides that this section—
  - (a) must be incorporated, and
  - (b) must not be incorporated with modifications.

#### Commencement Information

**I2** S. 149 in force at 1.12.2022 by S.I. 2022/906, art. 2

### 150 Possession notices **E+W**

- (1) This section applies in relation to a possession notice which a landlord is required to give to a contract-holder [<sup>F1</sup>under any of the following sections] before making a possession claim [<sup>F2</sup>—
  - (a) section 159 (in relation to a breach of contract by a contract-holder);
  - (b) section 161 (in relation to estate management grounds);
  - (c) section 166, 171 or 192 (in relation to a contract-holder's notice);
  - (d) section 182 or 188 (in relation to serious rent arrears under a standard contract).]
- (2) The notice must (in addition to specifying the ground on which the claim will be made)—
  - (a) state the landlord's intention to make a possession claim,
  - (b) give particulars of the ground, and
  - (c) state the date after which the landlord is able to make a possession claim.
- (3) This section is a fundamental provision which is incorporated as a term of all occupation contracts.

#### Textual Amendments

**F1** Words in s. 150(1) inserted (7.6.2021) by [Renting Homes \(Amendment\) \(Wales\) Act 2021 \(asc 3\)](#), s. 19(3), [Sch. 6 para. 14\(a\)](#)

**F2** S. 150(1)(a)-(d) inserted (7.6.2021) by [Renting Homes \(Amendment\) \(Wales\) Act 2021 \(asc 3\)](#), s. 19(3), [Sch. 6 para. 14\(b\)](#)

#### Commencement Information

**I3** S. 150 in force at 1.12.2022 by S.I. 2022/906, art. 2

**Changes to legislation:**

Renting Homes (Wales) Act 2016, Cross Heading: Permissible termination, possession claims and notices requiring possession is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 20(3)(ma) inserted by [2019 anaw 2 Sch. 3 para. 4\(2\)](#)
- s. 135(2)(ia) inserted by [2019 anaw 2 Sch. 3 para. 4\(3\)](#)
- s. 186A-186C inserted by [2019 anaw 2 Sch. 3 para. 4\(1\)](#)
- s. 198A inserted by [2019 anaw 2 Sch. 3 para. 5](#)